



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

AUG 29 2017

CERTIFIED MAIL — RETURN RECEIPT REQUESTED

Corporation Service Company
Registered Agent for:
Lowe's Home Centers, LLC.
300 Deschutes Way SW STE 304
Tumwater, Washington 98501

Re: Stop Sale, Use, or Removal Order for the unregistered pesticide product "Black Flag Disposable Fly Trap"
Docket No. FIFRA-10-2017-0105

Dear Madam or Sir:

This letter provides Lowe's Home Centers, LLC ("Lowe's"), notice that the U.S. Environmental Protection Agency, Region 10 ("EPA") has issued a Stop Sale, Use, or Removal Order ("Order") prohibiting the distribution, sale, or use of the pesticide product "Black Flag Disposable Fly Trap" under Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136k(a). The enclosed Order is effective immediately upon receipt and pertains to all such products under the control, ownership, or custody of Lowe's.

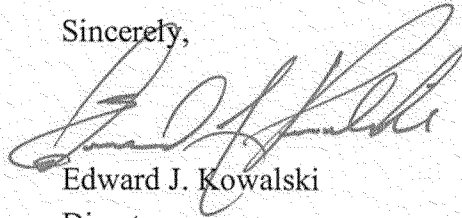
EPA issued the Order because EPA has reason to believe that the product "Black Flag Disposable Fly Trap" is in violation of FIFRA. This product is being "offered for sale" through webpages operated by Lowe's and through Lowe's' stores in Seattle, Washington.

The labels and advertisements for "Black Flag Disposable Fly Trap" bear pesticidal claims, yet this product has not been registered as a pesticide under FIFRA Section 3, 7 U.S.C. § 136a. Therefore, any distribution or sale of the unregistered pesticide "Black Flag Disposable Fly Trap" is in violation of FIFRA Section 12(a)(1)(A), 7 U.S.C. § 136j(a)(1)(A).

Pursuant to Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), Lowe's may **not** sell, offer to sell, use, distribute, or remove the unregistered pesticide product "Black Flag Disposable Fly Trap." Any violation of the Order may result in the imposition of civil or criminal penalties as prescribed by Section 14 of FIFRA, 7 U.S.C. § 136l. The issuance of this Order does not constitute a waiver by the EPA of its remedies, either judicial or administrative, under FIFRA or any other federal environmental law to address this matter or any other matters of unlawful acts not specified in this Order.

In accordance with the enclosed Order, within 30 days of receipt of this letter, please provide a written response describing the steps Lowe's will take to comply with FIFRA, as well as a current inventory of the product subject to the Order, to Mr. Chad Schulze at U.S. EPA Region 10, 1200 Sixth Avenue, Suite 900 (OCE-101), Seattle, Washington 98101, or at Schulze.Chad@epa.gov. Mr. Schulze may be reached by telephone at (206) 553-0505. Questions from legal counsel should be directed to Brett Dugan, Office of Regional Counsel, at (206) 553-8562 or dugan.brett@epa.gov.

Sincerely,



Edward J. Kowalski
Director

Enclosure

cc: Ms. Kimberly Bingham
EPA Region 4

Mr. Ross W. McCanless
Manager, Lowe's Home Centers, LLC
General Counsel, Secretary and Chief Compliance Officer, Lowe's Companies, Inc.